

MINUTES

MONTANA SENATE 60th LEGISLATURE - REGULAR SESSION

COMMITTEE ON TAXATION

Call to Order: By **CHAIRMAN JIM ELLIOTT**, on April 2, 2007 at 9:00 A.M., in Room 405 Capitol.

ROLL CALL

Members Present:

Sen. Jim Elliott, Chairman (D)
Sen. Jerry W. Black (R)
Sen. Jeff Essmann (R)
Sen. Kelly Gebhardt (R)
Sen. Kim Gillan (D)
Sen. Christine Kaufmann (D)
Sen. Sam Kitzenberg (D)
Sen. Jim Peterson (R)
Sen. Bob Story Jr. (R)

Members Excused:

Sen. Dan Harrington (D)
Sen. Trudi Schmidt (D)

Members Absent: None.

Staff Present: Lee Heiman, Legislative Branch
Lois O'Connor, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: None.
Executive Action: HB 492, HB 40, HB 362, HB 778, HJ 36, HB 257

00:00:01

EXECUTIVE ACTION ON HB 492

00:01:39 **Motion:** SEN. STORY moved that HB 492 BE CONCURRED IN.

Discussion:

00:01:51 Sen. Robert Story

00:02:01 Sen. Jeff Essmann

00:03:40 Sen. Jim Elliott

00:04:05 Sen. Jim Peterson

00:04:55 Sen. Sam Kitzenberg to Sen. Kim Gillan

00:06:14 Sen. Gillan

00:07:17 **Vote:** Motion that HB 492 BE CONCURRED IN failed 5-6 by roll call vote with SEN. BLACK, SEN. ESSMANN, SEN. GEBHARDT, SEN. PETERSON, and SEN. STORY voting aye. SEN. HARRINGTON, SEN. SCHMIDT, and SEN. ELLIOTT voted no by proxy.

00:08:14 **Motion/Vote:** SEN. GEBHARDT moved that HB 492 BE TABLED AND THE ROLL CALL VOTE REVERSED.

EXECUTIVE ACTION ON HB 40

00:08:53 **Motion:** SEN. KITZENBERG moved that HB 40 BE CONCURRED IN.

Discussion:

00:09:35 Sen. Gebhardt

00:09:45 Sen. Peterson

00:10:36 Sen. Story

00:12:13 Sen. Jerry Black

00:12:54 Sen. Essmann

00:13:22 **Vote:** Motion that HB 40 BE CONCURRED IN failed 5-6 by roll call vote with SEN. GILLAN, SEN. KAUFMANN, SEN. KITZENBERG, and SEN. STORY voting aye. SEN. SCHMIDT voted aye by proxy. SEN. HARRINGTON and SEN. ELLIOTT vote no by proxy.

00:14:00 **Motion:** SEN. GEBHARDT moved that HB 40 BE TABLED AND THE ROLL CALL VOTE REVERSED.

EXECUTIVE ACTION ON HB 362

00:15:36 **Motion:** SEN. ESSMANN moved that HB 362 BE CONCURRED IN.

00:15:49 **Motion:** SEN. ESSMANN moved to amend HB 362 with amendment #HB036202.ALH.

EXHIBIT(tas70a01)

Discussion:

00:17:12 Sen. Gebhardt to Sen. Essmann

00:18:20 Sen. Gebhardt

00:19:59 Sen. Story

00:20:38 Sen. Gebhardt

00:20:56 **Vote:** Motion that amendment #HB036202.ALH be approved carried unanimously by voice vote. SEN. SCHMIDT voted aye by proxy. SEN. HARRINGTON was excused.

00:21:09 **Motion/Vote:** SEN. ESSMANN moved that HB 362 BE CONCURRED IN AS AMENDED. Motion carried unanimously by voice vote. SEN. HARRINGTON, SEN. ELLIOTT, and SEN. SCHMIDT voted aye by proxy.

EXECUTIVE ACTION ON HB 778

00:22:22 **Motion:** SEN. ESSMANN moved that HB 778 BE CONCURRED IN.

Discussion:

00:22:32 Sen. Gebhardt

00:23:58 Sen. Gillan to Sen. Gebhardt

00:24:46 Sen. Christine Kaufmann

00:25:07 Sen. Story

00:25:37 Sen. Essmann

00:26:05 **Vote:** Motion that HB 778 BE CONCURRED IN carried 10-1 by voice vote with SEN. GEBHARDT voting no. SEN. ELLIOTT, SEN. HARRINGTON, and SEN. SCHMIDT voted aye by proxy. SEN. STORY will carry the bill.

EXECUTIVE ACTION ON HJ 36

00:27:55 **Motion:** SEN. STORY moved that HJ 36 BE CONCURRED IN.

Discussion:

00:28:13 Sen. Peterson

00:28:33 Sen. Black to Willie Duffield, Executive Director, Montana Association of Oil, Gas, and Coal Producing Counties (MAOGCPC)

00:30:13 Sen. Peterson to Mr. Duffield, MAOGCPC

00:31:08 Sen. Gebhardt

00:32:31 **Vote:** Motion that HJ 36 BE CONCURRED IN carried unanimously by voice vote. SEN. ELLIOTT, SEN. HARRINGTON, and SEN. SCHMIDT voted aye by proxy. SEN. PETERSON will carry the bill.

00:34:25 recess

01:51:50 reconvene

Discussion:

01:51:59 Sen. Elliott

EXECUTIVE ACTION ON HB 257

01:53:51 **Motion:** SEN. STORY moved that HB 257 BE CONCURRED IN.

01:54:04 **Motion:** SEN. ELLIOTT moved to amend HB 257 with amendment #HB036202.ALH.

Discussion:

01:54:58 Sen. Story

01:55:26 **Vote:** Motion that #HB025702.AGP be approved carried unanimously by voice vote. SEN. SCHMIDT was excused. No further action was taken.

ADJOURNMENT

Adjournment: 12:00 P.M.

SEN. JIM ELLIOTT, Chairman

LOIS O'CONNOR, Secretary

JE/lo

Additional Exhibits:

EXHIBIT ([tas70aad.pdf](#))